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Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

## TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

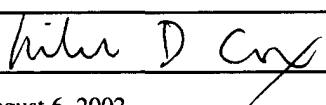
		Application Number	10/040,281
		Filing Date	11/07/2001
		First Named Inventor	Browning, Jeffrey
		Group Art Unit	1635
		Examiner Name	TBD
Total Number of Pages in This Submission	7	Attorney Docket Number	B129USCP2DV2CO

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### ENCLOSURES (check all that apply)

<input checked="" type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached  <input type="checkbox"/> Amendment / Response <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s)  <input type="checkbox"/> Extension of Time Request  <input type="checkbox"/> Express Abandonment Request  <input type="checkbox"/> Information Disclosure Statement  <input type="checkbox"/> Certified Copy of Priority Document(s)  <input type="checkbox"/> Response to Missing Parts/ Incomplete Application  <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Assignment Papers (for an Application) <input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition Routing Slip (PTO/SB/69) and Accompanying Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Small Entity Statement <input type="checkbox"/> Request for Refund	<input type="checkbox"/> After Allowance Communication to Group <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Additional Enclosure(s) (please identify below)  <div style="border: 1px solid black; padding: 5px;">Communication re: Corrected Filing Receipt; Copy of marked-up Filing Receipt</div>
<div style="border: 1px solid black; padding: 5px;">Remarks</div> <p>The Commissioner is hereby authorized to charge Deposit Account #02-2327 for any fees not authorized in the attached Fee Transmittal</p>		

### SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

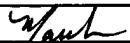
Firm or Individual name	Niki D. Cox, Esq. Reg. No. 42,446		RECEIVED
Signature			
Date	August 6, 2002		

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### CERTIFICATE OF MAILING

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Typed or printed name	Jacqueline L. Marlier		
Signature		Date	August 6, 2002

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# FEE TRANSMITTAL for FY 2002

Patent fees are subject to annual revision.

TOTAL AMOUNT OF PAYMENT (\$ 130

## Complete if Known

Application Number	10/040,281
Filing Date	11/07/2001
First Named Inventor	Browning, Jeffrey
Examiner Name	TBD
Group Art Unit	1635
Attorney Docket No.	B129USCP2DV2CO

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SEP 15 2002

METHOD OF PAYMENT				FEE CALCULATION (continued)																																																																																																																																																																																																			
<p>1. <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge indicated fees and credit any overpayments to:</p> <p>Deposit Account Number 02-2327</p> <p>Deposit Account Name</p> <p><input checked="" type="checkbox"/> Charge Any Additional Fee Required Under 37 CFR 1.16 and 1.17</p> <p><input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27</p>				<p>3. ADDITIONAL FEES</p> <table border="1"> <thead> <tr> <th>Large Entity</th> <th>Small Entity</th> <th colspan="2"></th> <th>Fee Description</th> <th>Fee Paid</th> </tr> <tr> <th>Fee Code</th> <th>Fee Code</th> <th>Fee Code</th> <th>Fee Code</th> <th></th> <th></th> </tr> </thead> <tbody> <tr> <td>105</td> <td>130</td> <td>205</td> <td>65</td> <td>Surcharge - late filing fee or oath</td> <td></td> </tr> <tr> <td>127</td> <td>50</td> <td>227</td> <td>25</td> <td>Surcharge - late provisional filing fee or cover sheet</td> <td></td> </tr> <tr> <td>139</td> <td>130</td> <td>139</td> <td>130</td> <td>Non-English specification</td> <td></td> </tr> <tr> <td>147</td> <td>2,520</td> <td>147</td> <td>2,520</td> <td>For filing a request for ex parte reexamination</td> <td></td> </tr> <tr> <td>112</td> <td>920*</td> <td>112</td> <td>920*</td> <td>Requesting publication of SIR prior to Examiner action</td> <td></td> </tr> <tr> <td>113</td> <td>1,840*</td> <td>113</td> <td>1,840*</td> <td>Requesting publication of SIR after Examiner action</td> <td></td> </tr> <tr> <td>115</td> <td>110</td> <td>215</td> <td>55</td> <td>Extension for reply within first month</td> <td></td> </tr> <tr> <td>116</td> <td>400</td> <td>216</td> <td>200</td> <td>Extension for reply within second month</td> <td></td> </tr> <tr> <td>117</td> <td>920</td> <td>217</td> <td>460</td> <td>Extension for reply within third month</td> <td></td> </tr> <tr> <td>118</td> <td>1,440</td> <td>218</td> <td>720</td> <td>Extension for reply within fourth month</td> <td></td> </tr> <tr> <td>128</td> <td>1,960</td> <td>228</td> <td>980</td> <td>Extension for reply within fifth month</td> <td></td> </tr> <tr> <td>119</td> <td>320</td> <td>219</td> <td>160</td> <td>Notice of Appeal</td> <td></td> </tr> <tr> <td>120</td> <td>320</td> <td>220</td> <td>160</td> <td>Filing a brief in support of an appeal</td> <td></td> </tr> <tr> <td>121</td> <td>280</td> <td>221</td> <td>140</td> <td>Request for oral hearing</td> <td></td> </tr> <tr> <td>138</td> <td>1,510</td> <td>138</td> <td>1,510</td> <td>Petition to institute a public use proceeding</td> <td></td> </tr> <tr> <td>140</td> <td>110</td> <td>240</td> <td>55</td> <td>Petition to revive - unavoidable</td> <td></td> </tr> <tr> <td>141</td> <td>1,280</td> <td>241</td> <td>640</td> <td>Petition to revive - unintentional</td> <td></td> </tr> <tr> <td>142</td> <td>1,280</td> <td>242</td> <td>640</td> <td>Utility issue fee (or reissue)</td> <td></td> </tr> <tr> <td>143</td> <td>460</td> <td>243</td> <td>230</td> <td>Design issue fee</td> <td></td> </tr> <tr> <td>144</td> <td>620</td> <td>244</td> <td>310</td> <td>Plant issue fee</td> <td></td> </tr> <tr> <td>122</td> <td>130</td> <td>122</td> <td>130</td> <td>Petitions to the Commissioner</td> <td></td> </tr> <tr> <td>123</td> <td>50</td> <td>123</td> <td>50</td> <td>Processing fee under 37 CFR 1.17(q)</td> <td></td> </tr> <tr> <td>126</td> <td>180</td> <td>126</td> <td>180</td> <td>Submission of Information Disclosure Stmt</td> <td></td> </tr> <tr> <td>581</td> <td>40</td> <td>581</td> <td>40</td> <td>Recording each patent assignment per property (times number of properties)</td> <td></td> </tr> <tr> <td>146</td> <td>740</td> <td>246</td> <td>370</td> <td>Filing a submission after final rejection (37 CFR § 1.129(a))</td> <td></td> </tr> <tr> <td>149</td> <td>740</td> <td>249</td> <td>370</td> <td>For each additional invention to be examined (37 CFR § 1.129(b))</td> <td></td> </tr> <tr> <td>179</td> <td>740</td> <td>279</td> <td>370</td> <td>Request for Continued Examination (RCE)</td> <td></td> </tr> <tr> <td>169</td> <td>900</td> <td>169</td> <td>900</td> <td>Request for expedited examination of a design application</td> <td></td> </tr> <tr> <td colspan="4">Other fee (specify) <u>Corrected Filing Receipt</u></td> <td>130</td> <td></td> </tr> <tr> <td colspan="4">*Reduced by Basic Filing Fee Paid</td> <td colspan="2">SUBTOTAL (3) (\$ 130</td> </tr> </tbody> </table>				Large Entity	Small Entity			Fee Description	Fee Paid	Fee Code	Fee Code	Fee Code	Fee Code			105	130	205	65	Surcharge - late filing fee or oath		127	50	227	25	Surcharge - late provisional filing fee or cover sheet		139	130	139	130	Non-English specification		147	2,520	147	2,520	For filing a request for ex parte reexamination		112	920*	112	920*	Requesting publication of SIR prior to Examiner action		113	1,840*	113	1,840*	Requesting publication of SIR after Examiner action		115	110	215	55	Extension for reply within first month		116	400	216	200	Extension for reply within second month		117	920	217	460	Extension for reply within third month		118	1,440	218	720	Extension for reply within fourth month		128	1,960	228	980	Extension for reply within fifth month		119	320	219	160	Notice of Appeal		120	320	220	160	Filing a brief in support of an appeal		121	280	221	140	Request for oral hearing		138	1,510	138	1,510	Petition to institute a public use proceeding		140	110	240	55	Petition to revive - unavoidable		141	1,280	241	640	Petition to revive - unintentional		142	1,280	242	640	Utility issue fee (or reissue)		143	460	243	230	Design issue fee		144	620	244	310	Plant issue fee		122	130	122	130	Petitions to the Commissioner		123	50	123	50	Processing fee under 37 CFR 1.17(q)		126	180	126	180	Submission of Information Disclosure Stmt		581	40	581	40	Recording each patent assignment per property (times number of properties)		146	740	246	370	Filing a submission after final rejection (37 CFR § 1.129(a))		149	740	249	370	For each additional invention to be examined (37 CFR § 1.129(b))		179	740	279	370	Request for Continued Examination (RCE)		169	900	169	900	Request for expedited examination of a design application		Other fee (specify) <u>Corrected Filing Receipt</u>				130		*Reduced by Basic Filing Fee Paid				SUBTOTAL (3) (\$ 130	
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**or number previously paid, if greater; For Reissues, see above																																																																																																																																																																																																							

SUBMITTED BY		Complete (if applicable)		
Name (Print/Type)	Niki D. Cox	Registration No. (Attorney/Agent)	42,446	Telephone (617) 679-2079
Signature	<i>Niki D. Cox</i>	Date	August 6, 2002	

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Docket No.: B129CIP2DIV2 CON

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

re Application of: Browning et al.

Examiner: TBD

Application No.: 10/040,281

Group Art Unit: 1635

Filing Date: November 7, 2001

For: LYMPHOTOXIN- $\beta$ , LYMPHOTOXIN- $\beta$  COMPLEXES, PHARMACEUTICAL PREPARATIONS AND THERAPEUTIC USES THEREOF

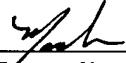
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on:

August 6, 2002

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Jacqueline L. Marlier

**COMMUNICATION TO CORRECT ERROR IN FILING RECEIPT**

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Washington, D.C. 20231

Dear Sir:

Upon receipt of the official Filing Receipt for the above referenced application, a copy of which is attached, Applicants noticed that the name and address of the second inventor is not listed. Also, there was no address submitted for the name of the primary inventor, Jeffrey Browning. Currently, the following is written under the "Applicant(s)" section of the Filing Receipt:

**Applicant(s)**

Jeffrey L. Browning, Residence Not Provided

should read:

Jeffrey L. Browning, Brookline, MA;  
Carl F. Ware, Solana Beach, CA

In addition, Applicants noticed that the Domestic Priority Data was incorrect.

The Domestic Priority Data reads:

THIS APPLICATION IS A CON OF 08/466,254 06/06/1995  
WHICH IS A CIP OF PCT/US91/04588 06/27/1991  
AND A CIP OF 07/544,862 06/27/1990 ABN

should read:

THIS APPLICATION IS A CON OF 08/466,254 06/06/1995 ABN  
WHICH IS A DIVISIONAL OF 08/222,614 04/01/1994 ABN  
WHICH IS A CON OF 07/990,304 12/04/1992 ABN  
WHICH IS A CIP OF PCT/US91/04588 06/27/1991  
AND A CIP OF 07/544,862 06/27/1990 ABN

The Applicants submit that the above corrections to the Filing Receipt were due to errors made by the Applicants on the Utility Patent Application Transmittal. Authorization is hereby given to charge the fee as set forth under 37 CFR 1.17(h) of \$130.00 to Deposit Account No. 02-2327.

Respectfully submitted,

Date: August 6, 2002

Niki D. Cox  
Niki D. Cox, Esq.  
Reg. No. 42, 446  
BIOGEN, INC.  
14 Cambridge Center  
Cambridge, MA 02142  
(617) 679-2079 (Direct)  
(617) 679-2838 (Facsimile)



## UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS  
UNITED STATES PATENT AND TRADEMARK OFFICE  
WASHINGTON, D.C. 20231  
www.uspto.gov

APPLICATION NUMBER	FILING DATE	GRP ART UNIT	FIL FEE REC'D	ATTY.DOCKET.NO	DRAWINGS	TOT CLAIMS	IND CLAIMS
10/040,281	11/07/2001	1635	0.00	B129 CIP2 DIV2 CON	16	28	9

CONFIRMATION NO. 9658

## FILING RECEIPT



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Date Mailed. 02/26/2002

BIOGEN, INC.  
14 Cambridge Center  
Cambridge, MA 02142

MAR 05 2002

Receipt is acknowledged of this nonprovisional Patent Application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please write to the Office of Initial Patent Examination's Customer Service Center. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the USPTO processes the reply to the Notice, the USPTO will generate another Filing Receipt incorporating the requested corrections (if appropriate).

## Applicant(s)

Jeffrey L. Browning, Residence Not Provided

Jeffrey L. Browning, Brookline, MA  
Carrie Ware, Solana Beach, CA

## Domestic Priority data as claimed by applicant

THIS APPLICATION IS A CON OF 08/466,254 06/06/1995  
WHICH IS A CIP OF PCT/US91/04588 06/27/1991  
AND A CIP OF 07/544,862 06/27/1990 ABN

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WHICH IS A CON OF 07/990,304 12/04/1992 ABN  
WHICH IS A CIP OF PCT/US91/04588 06/27/1991  
AND A CIP OF 07/544,862 06/27/1990 ABN

## Foreign Applications

If Required, Foreign Filing License Granted 02/26/2002

Projected Publication Date: To Be Determined - pending completion of Missing Parts

Non-Publication Request: No

Early Publication Request: No

## Title

Lymphotoxin-beta, lymphotoxin-beta complexes, pharmaceutical preparations and therapeutic uses thereof

## Preliminary Class

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Title 37, Code of Federal Regulations, 5.11 & 5.15**

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PTO/SB/92 (12-97)

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**B129USCIP2DIV2CON**

**Certificate of Mailing under 37 CFR 1.8**

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to:

Assistant Commissioner for Patents  
Washington, D.C. 20231

on August 6, 2002

Date

**Signature**

Jacqueline L. Marlier

Typed or printed name of person signing Certificate

**Note:** Each paper must have its own certificate of mailing, or this certificate must identify each submitted paper.

1. Communication re: Filing Receipt (2 pgs.)
2. Marked-up copy of Filing Receipt (2 pgs.)
3. Transmittal Form (1 pg.)
4. Fee Transmittal (1 pg.)
5. Return receipt postcard

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